

**United States District Court
for the District of Massachusetts**

Tien Nguyen,)	
Defendant-Petitioner,)	
)	
v.)	No. 97-CR-10102-MLW
)	
United States,)	
Respondent.)	

**Defendant's Petition for Coram Nobis,
Audita Querela, or Other Appropriate Relief**

The defendant-petitioner, Tien (“Tony”) Nguyen, hereby petitions this Court for a writ of error coram nobis, for a writ of audita querela, or for some other appropriate relief under the All Writs Act, 28 U.S.C. §1651, or under Rule 60(b) of the Federal Rules of Civil Procedure.

As grounds therefor, the defendant hereby incorporates by reference his annexed memorandum, the supporting affidavits of Attorney J. W. Carney, Jr., and Mr. Nguyen, and the exhibits annexed thereto.

The defendant prays that this Court issue an order:

- directing DHS to refrain from placing Mr. Nguyen in removal or deportation proceedings during the pendency of these proceedings so that the constitutional rights asserted herein are duly examined by an Article III court according to the Constitution and the rule of law;
- vacating Mr. Nguyen’s conviction;

- if more evidence is needed, scheduling an evidentiary hearing to clarify any doubts or ambiguities not resolved by reviewing the affidavits of Mr. Nguyen and Attorney Carney; and
- fashioning any other relief within this Court's equitable and legal powers that it deems just and proper.

Respectfully submitted,
Tien Nguyen,
By his attorney:

/s/ **Michael R. Schneider**
Michael Schneider
BBO #446475
GOOD SCHNEIDER
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CERTIFICATE OF SERVICE

I, Michael R. Schneider, hereby certify that this petition, along with the supporting memorandum, affidavits, and exhibits were served on all of the parties to this case by the CM/ECF System.

/s/ **Michael R. Schneider**
Michael R. Schneider

Dated: May 25, 2017